

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JASPINDER SINGH,

Petitioner,

v.

NEIL CLARK,

Respondent.

CASE NO. C06-1610-TSZ-MJB

REPORT AND
RECOMMENDATION

On November 6, 2006, petitioner Jaspinder Singh, proceeding pro se, filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, challenging his detention by the U.S. Immigration and Customs Enforcement ("ICE"). (Dkt. #5). On January 11, 2007, respondent filed a Reply in Support of Motion to Dismiss and submitted documents indicating that petitioner's removal proceedings were terminated on January 7, 2007, and that petitioner was released from custody on January 10, 2007, and is no longer detained by ICE. (Dkts. #14 and #15). Respondent asserts that because petitioner is no longer detained by ICE, petitioner's habeas petition should be dismissed as moot.

Because petitioner is no longer in ICE custody, the Court finds that petitioner's habeas

1 petition should be dismissed as moot. *See, e.g., Cooney v. Edwards*, 971 F.2d 345, 346 (9th Cir.
2 1992)(holding that the District Court properly dismissed plaintiff's claims that had become either
3 moot or unripe). Accordingly, I recommend that respondent's motion to dismiss be granted
4 (Dkt. #11), and that this action be dismissed without prejudice. A proposed Order accompanies
5 this Report and Recommendation.

6 DATED this 13th day of February, 2007.

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9 MONICA J. BENTON
10 United States Magistrate Judge
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